



Attorney's Docket No.: 07880-126001

## UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Aura Ganz et al.  
Serial No. : 09/502,143  
Filed : February 11, 2000  
Title : ADAPTIVE MEDIA CONTROL

Art Unit : 2665  
Examiner : Lee T. Khuong

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 CFR §§3.73(b) AND 1.321(b)

Pursuant to 37 CFR §3.73(b), University of Massachusetts Amherst, a university, certifies that it is the assignee of the entire right, title, and interest in the above application by virtue of:

☒ An assignment from the inventors of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 009021, Frame 0844 on February 23, 1998, or a copy thereof is attached.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Pursuant to 37 CFR §1.321(b), and to obviate a double patenting rejection, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above identified application subsequent to the expiration date of U.S. Patent No. 6,049,549, whereby the patent granted on this application and U.S. Patent No. 6,049,549 will expire on the same day, provided that any patent granted on the above identified application shall be enforceable only for and during such period that it is commonly owned with U.S. Patent No. 6,049,549.

## CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

January 20, 2006  
Date of Deposit

Cassie Chandler  
Signature

Cassie Chandler  
Typed or Printed Name of Person Signing Certificate

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The assignee identified above does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term of U.S. Patent No. 6,049,549 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of U.S. Patent No. patent no. 6,049,549.

This disclaimer runs with any patent granted on the above application and is binding upon the grantee, its successors or assigns.

Enclosed is a check for \$65 for the required fee pursuant to 37 CFR §1.20(d).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 1/20/06  
MICHAEL JAREMCHUKTitle: Associate Director

Fish & Richardson P.C.  
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03-13-1998

Attorney Docket No.: 07880/038001  
SHEET

Assistant Commissioner for Patent

100662252

Document

1. Name of conveying party(ies):  
**Aura Ganz, Zvi Ganz and Ilwhan Kim**  
 Additional name(s) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies):  
**University of Massachusetts**  
**18 Tremont Street, Suite 800**  
**Boston, Massachusetts 02108**

3. Nature of conveyance:  
☒ Assignment  
☐ Merger  
☐ Security Agreement  
☐ Change of Name  
☐ Other:

Additional names/addresses attached? ☐ Yes ☒ No

Execution Date: **February 10, 1998**

4. Application number(s) or patent number(s):

If this document is being filed with a new application, the execution date of this application is:

A. Patent Application No.(s):  
**08/907,812**

B. Patent No.(s):



Additional numbers attached? ☐ Yes ☒ No

5. Name/address of party to whom correspondence concerning document should be mailed:

**J. Peter Fasse**  
**Fish & Richardson P.C.**  
**225 Franklin Street**  
**Boston, MA 02110-2804**

6. Total number of applications/patents involved: **1**

7. Total fee (37 CFR 3.41): **\$40**

☒ Enclosed  
☐ Authorized to charge deposit account

8. Deposit account number: **06-1050**

If the fee above is being charged to deposit account, a duplicate copy of this cover sheet is attached. Please apply any additional charges, or any credits, to our Deposit Account No. 06-1050.

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9. Statement and signature: *To the best of my knowledge and belief, the foregoing information is true and correct and the attached is the original document.*

**J. Peter Fasse**

Name of Person Signing

Signature

**2-23-98**

Date

Total number of pages including cover sheet, attachments, and document: **3**

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Date of Deposit **February 23, 1998**  
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PATENT  
 REEL: 5021 PR: 44

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# ASSIGNMENT

For valuable consideration, we, Aura Ganz of Amherst, MA; Zvi Ganz of Amherst, MA; and Ilwhan Kim of Amherst, MA, hereby assign to the University of Massachusetts, a Massachusetts institution having a place of business at 18 Tremont Street, Suite 800, Boston, Massachusetts 02108, and its successors and assigns (collectively hereinafter called "the Assignee"), the entire right, title and interest throughout the world in the inventions and improvements which are subject of an application for United States Patent signed by us, entitled ADAPTIVE MEDIA CONTROL, filed August 14, 1997, and assigned U.S. Serial Number 08/907,812; this assignment including said application, any and all United States and foreign patents, utility models, and design registrations granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and we authorize the Assignee to apply in all countries in our name or in its own name for patents, utility models, and design registrations and like rights of exclusion and for inventors' certificates for said inventions and improvements; and we agree for ourselves and our respective heirs, legal representatives and assigns, without further compensation to perform such lawful acts and to sign such further applications, assignments, Preliminary Statements and other lawful documents as the Assignee may reasonably request to effectuate fully this assignment.

IN WITNESS WHEREOF, I hereto set my hand and seal at Amherst, Mass.  
this 10 day of Feb., 1998  
Aura Ganz L.S.

STATE OF Mass.  
COUNTY OF Franklin :ss.

Before me this 10 day of Feb., 1998, personally appeared

Aura Ganz known to me to be the person whose name is subscribed to the foregoing Assignment, and acknowledged that she executed the same as her free act and deed for the purposes therein contained.

Martha J. Martin  
Notary Public

My Commission Expires: 08/27/04

[Notary's Seal Here]

IN WITNESS WHEREOF, I hereto set my hand and seal at Amherst, Mass.  
this 10 day of Feb., 1998

Zvi Ganz L.S.

STATE OF Mass.

COUNTY OF Franklin :ss.

Before me this 10 day of Feb., 1998, personally appeared

Zvi Ganz known to me to be the person whose name is subscribed to the foregoing Assignment, and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

Martha J. Martin  
Notary Public

My Commission Expires: 08/27/04

[Notary's Seal Here]

IN WITNESS WHEREOF, I hereto set my hand and seal at Amherst, Mass.  
this 10 day of Feb., 1998

Ilwhan Kim L.S.

STATE OF Mass.

COUNTY OF Franklin :ss.

Before me this 10 day of Feb., 1998, personally appeared

Ilwhan Kim known to me to be the person whose name is subscribed to the foregoing Assignment, and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

Martha J. Martin  
Notary Public

My Commission Expires: 08/27/04

[Notary's Seal Here]

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RECORDED: 02/23/1998

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REEL: 9021 FRAME: 0846